

STATE OF TENNESSEE

Office of the Attorney General



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PAUL G. SUMMERS

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Reply to:

Consumer Advocate and Protection Division

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Nashville, TN 37202

February 26, 2004

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TELEPHONE 615-741-3491  
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Honorable Deborah Taylor Tate  
Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

**IN RE: PETITION OF CHATTANOOGA GAS COMPANY FOR  
APPROVAL OF ADJUSTMENT OF ITS RATES AND CHARGES AND  
REVISED TARIFF.**

**Docket 04-00034**

Dear Chairman Tate:

Enclosed is an original and thirteen copies of the Consumer Advocate and Protection Division's Petition to Intervene in regards to Docket No. 04-00034. Kindly file same in this docket. Copies are being sent to all parties of record. If you have any questions, kindly contact me at (615) 741-1671. Thank you.

Sincerely,  
*Vance Broemel*  
*Bej JB*  
Vance Broemel  
Assistant Attorney General

CC: All Parties of Record.

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**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**IN RE:**

**PETITION OF CHATTANOOGA GAS  
COMPANY FOR APPROVAL OF  
ADJUSTMENT OF ITS RATES AND  
CHARGES AND REVISED TARIFF**

**DOCKET NO. 04-00034**

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**PETITION TO INTERVENE**

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Comes now Paul G. Summers, the Attorney General for the State of Tennessee, through the Consumer Advocate and Protection Division of the Office of Attorney General (hereinafter "Consumer Advocate"), pursuant to Tenn. Code Ann. § 65-4-118(c)(2)(A), and petitions the Tennessee Regulatory Authority to convene a rate hearing, and to grant the Consumer Advocate's intervention in this proceeding on behalf of the public interest because consumers may be adversely affected by the rate increases, changes and alterations requested by Chattanooga Gas Company. For cause, the Petitioner would show as follows:

1. In order to represent the interests of Tennessee consumers, the Consumer Advocate is authorized by Tenn. Code Ann. § 65-4-118(c)(2)(A) to initiate a contested case and to intervene or participate in proceedings concerning public utility matters in accordance with the Uniform Administrative Procedures Act, Tenn. Code Ann. § 4-5-101, *et. seq.*

2. Chattanooga Gas Company (hereinafter "Chattanooga Gas") is a public utility company regulated by the Tennessee Regulatory Authority (hereinafter "TRA") pursuant to Title 65,

Chapters 4 and 5, *Tennessee Code Annotated*. Chattanooga Gas has its principal offices at 2207 Olan Mills Drive, Chattanooga, Tennessee.

3. Chattanooga Gas sells and distributes natural gas to residential, commercial and industrial consumers in the State of Tennessee.

4. On January 26, 2004, Chattanooga Gas filed a petition seeking approval to increase the rates that it charges customers for distribution of natural gas. Chattanooga Gas also requests increases in service connection charges as well as other changes in service regulations.

5. If the TRA approves the petition of Chattanooga Gas in its present form, such action would result in an increase of transportation charges or gross margin increases of 15.3%. The increase proposed would result in an increase of approximately 4.7% for residential customers, 4.3% for commercial customers and 7.9% for industrial interruptible service. The dollar amount of the requested increase is nearly \$4.6 million annually.

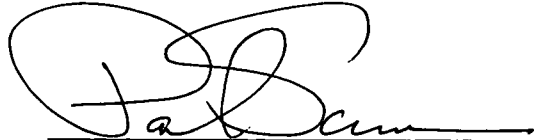
6. Based upon the Consumer Advocate's review of the testimony and documentation that Chattanooga Gas filed in support of its petition, the Consumer Advocate alleges that approval of the petition in its present form is not in the public interest, and that the amount of the requested rate increase is not fair, just and reasonable under all the attendant conditions and circumstances.

7. Only by participating and intervening in this proceeding can the Consumer Advocate work effectively to protect the interests of Tennessee consumers.

WHEREFORE, the Consumer Advocate and Protection Division prays that the Tennessee Regulatory Authority will: (a) convene a rate case proceeding pursuant to Tenn. Code Ann. § 65-5-203 to hear and determine whether the rate increases, changes and alterations requested by

Chattanooga Gas Company are fair, just and reasonable; (b) grant the Consumer Advocate and Protection Division's Petition to Intervene; and (c) grant the Consumer Advocate and Protection Division and the consumers of Tennessee such other relief as may be deemed appropriate.

RESPECTFULLY SUBMITTED,



PAUL G. SUMMERS, B.P.R. #6285  
Tennessee Attorney General



VANCE BROEMEL, B.P.R. #11421  
Assistant Attorney General

Office of the Attorney General  
Consumer Advocate and Protection Division  
P.O. Box 20207  
Nashville, Tennessee 37202  
(615) 532-2590

~~Feb 26,~~  
Dated: March. \_\_\_\_, 2004

## CERTIFICATE OF SERVICE

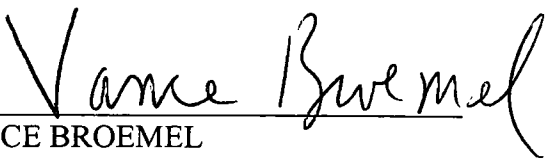
I hereby certify that a true and correct copy of the foregoing Petition to Intervene was served on parties below via U.S. Mail or facsimile on ~~March~~ <sup>Feb</sup> 26, 2004.

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